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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,862	04/27/2001	Atsushi Inoue	206611US2RD	7505
22850 7590 03/23/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER NAWAZ, ASAD M	
			ART UNIT 2155	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			NOTIFICATION DATE	DELIVERY MODE
3 MONTHS			03/23/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/23/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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**Office Action Summary**

Application No.

09/842,862

Applicant(s)

INOUE ET AL

Examiner

Asad M. Nawaz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) 5-7, 9-14, 16, and 21-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to the election of Group I received on 12/18/06. No other claims have been amended, canceled, or added. Accordingly, claims 1-3 and 5-20 are pending.

#### ***Election/Restrictions***

2. Claims 5-7, 9-14, 16, and 21-27 were withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Group II, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 12/18/06. Applicant's election with traverse of Group I in the reply filed on 12/18/06 is acknowledged. The traversal is on the ground(s) that it should not be of further burden upon the examiner. This is not found persuasive because the examiner would be in fact burdened by another search as the non-elected claims are separately classified. Furthermore, they contain separate, distinct patentable subject matter.

The requirement is still deemed proper and is therefore made FINAL.

3. This application contains claims 5-7, 9-14, 16, and 21-27 drawn to an invention nonelected with traverse. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nounin in view of Ohno et al, 6,219,715 (Ohno hereafter).

6.

As per claim 1, Nounin teaches a network system, comprising: a radio terminal (105, fig. 3) having a first communication interface usable for reception only (107, fig. 3, col. 8, lines 24-36, the downlink (high speed) channel is unidirectional for reception only and is connected to first sub-network and a second communication interface usable for transmission and reception (106, fig. 3, col. 8, lines 24-36., the bi-directional (slow speed) channel is connected to second sub-network); a first sub-network to which the radio terminal is connected through a radio base station (103, fig. 3) of a downlink radio network by using the first communication interface (107, fig. 3); a second sub-network to which the radio terminal is connected through a bidirectional communication network by using the second communication interface (106, fig. 3), the second sub-network being connected with the first sub-network through a backbone network (1, fig. 2; or Internet); and a packet relay device (103, fig. 3) configured to receive a request message and carry out the protocol processing on the first sub-

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network according to the request message on behalf of the radio terminal, such that a response message corresponding to the request message obtained by the protocol processing is returned from the first sub network to the radio terminal through the downlink radio network or the bidirectional communication network (col. 8, lines 42-48', col. 8, lines 65 - col. 9, lines 12., base stations (101 , 103, fig. 3) function as packet relay devices that communicate and route data between the radio terminal connected over the wireless network with other devices over the wired or LAN network); wherein the radio terminal is configured to receive a notification message indicating an existence or an address of the packet relay device on the first sub-network through the downlink radio network by using the first communication interface when the radio terminal enters a radio area of the radio base station and is configured to transmit the request message after receiving the notification message at the first communication interface (col. 16, lines 44-52, 6035., col. 17, lines 23-25., when the radio terminal enters an area serviced by the base station, the base station sends out a notification message via the downlink channel requesting a response from the radio terminal', using the address of the base station embedded in the notification message, the radio terminal sends a response message to the base station requesting connection to the network so the radio terminal can communicate with the base station and the network); the radio terminal is further configured to process the response message received by the first or second communication interface (col. 16, lines 60-65., upon receiving a response message from the base station to establish connection with the base station, the radio terminal can send additional requests to the network via base station for servicing (e.g.,

accessing and retrieving content data from the network), the request message being transmitted through the first communication interface and then broadcast, multicast, or unicast on the first sub-network when the radio terminal is capable of transmitting data to the first sub-network through the first communication interface (col 21, lines 52-67)

However, Nounin does not teach the packet relay device configured to receive a request message requesting a protocol processing for retrieving data from and/or sending data to the first sub-network from the radio terminal.

Ohno teaches a packet relay device configured to receive a request message requesting a protocol processing for retrieving data from and/or sending data to the first sub-network from the radio terminal (col 4, lines 20-34)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Ohno into those of Nounin to facilitate dynamic distribution and control the addresses of disparate LAN terminals.

As per claim 2, Nounin teaches the network system of claim 1, wherein the radio terminal is configured to transmit the request message after receiving the notification message at the first communication interface, by encapsulating the request message into an IP packet destined to the address of the packet relay device obtained according to the notification message and transmitting the IP packet from the second communication interface; the packet relay device configured to decapsulate the IP packet received from the radio terminal through the second sub-network, carry out the protocol processing on behalf of the radio terminal according to the request message taken out from the IP packet, and transmit the response message in a form of such a

prescribed packet that is received by the second communication interface of the radio terminal through the second sub-network and the radio terminal is configured to process the response message contained in the prescribed packet (col 8, lines 65 to col 9, lines 12; col 16, lines 60-65).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMN

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER